

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

MATTHEW WAYNE ROBINSON

PLAINTIFF

v.

Civil No. 6:19-CV-06004

JAIL ADMINISTRATOR SARAH HANEY

DEFENDANT

ORDER

Plaintiff proceeds in this 42 U.S.C. § 1983 action *pro se* and *in forma pauperis*. Currently before the Court is Defendant's Motion to Compel Discovery Response. (ECF No. 20).

On June 17, 2019, Defendant filed a Motion to Compel seeking Plaintiff's executed medical authorization and other discovery responses. (ECF No. 20). In the Motion, Defendant states she first served the request on April 22, 2019. This request was returned undeliverable due to Plaintiff's transfer to the ADC. (*Id.* at 1). On May 6, 2019, Defendant sent a second request to Plaintiff in the ADC.

On May 15, 2019, Defendant received a letter from Plaintiff stating he objected to answering the interrogatories and to releasing his medical information and would be seeking an attorney. (ECF No. 20-3). On May 17, 2019, Defendant sent a third request. This request informed Plaintiff that Defendant would file a Motion to Compel if Plaintiff failed to respond by June 15, 2019. To date, Plaintiff has not produced an executed medical authorization form or any discovery responses. (ECF No. 20 at 2). There is no indication in the docket that Plaintiff is now represented by counsel in this case.

Under the Federal Rules of Civil Procedure, Plaintiff is afforded thirty (30) days to respond to discovery requests. Fed. R. Civ. P. 33(b)(2) & 34(b)(2)(A). Plaintiff did not request an

extension of time to respond to Defendants' discovery requests. Plaintiff has, therefore, failed to respond to the discovery requests in the time and manner provided by law, and any objections to the discovery requests are waived. Fed. R. Civ. P. 33(b)(4) & 34(b)(2)(B).

Accordingly, Defendant's Motion to Compel Discovery Response (ECF No. 20) is **GRANTED**. Plaintiff is **ORDERED** to provide Defendant with responses to their discovery requests, including a signed medical authorization form, **by 5:00 p.m. on July 23, 2019**. Plaintiff is advised that his Complaint shall be subject to dismissal if he fails to comply with this Order.

IT IS SO ORDERED this 9th day of July 2019.

/s/ *Mark E. Ford*

HON. MARK E. FORD
UNITED STATES MAGISTRATE JUDGE